

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, May 6, 2021 – 3:00 PM
Location: Zoom Virtual Meeting Platform

- I. **Chairperson Willie E. Bell called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Chaplain Charlston Day provided the invocation.
- III. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

| Detroit Board of Police Commissioners' Membership / Attendance | | |
|--|--------|------------|
| | Attend | Not-Attend |
| Willie E. Bell, Chairperson | Yes | |
| Annie Mae Holt, Vice-Chairperson | Yes | |
| Linda D. Bernard | Yes | |
| Darryl D. Brown | Yes | |
| Shirley A. Burch | Yes | |
| Willie E. Burton | Yes | |
| Lisa Carter | Yes | |
| William M. Davis | Yes | |
| Jesus Hernandez | Yes | |
| Jim Holley | Yes | |
| Martin Jones | Yes | |
| | | |
| Quorum (Yes) | 11 | |
| | | |

- IV. **The Board approved the Agenda for Thursday, May 6, 2021.**

Motion: Commissioner Holley **Second:** Commissioner Brown **Discussion:** None.

VOTE: **Yes = 10** **No = 0** **Motion: ADOPTED**

- V. **Chairperson Bell called for any corrections to the Meeting Minutes for April 29, 2021. After no corrections were submitted, the minutes were approved.**

Motion: Commissioner Holley **Second:** Vice-Chairperson Holt **Discussion:** None.

VOTE: **Yes = 10** **No = 0** **Motion: ADOPTED**

- VI. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives.**

- VII. **Chair's Report.**

- VIII. **Resolution: Vice-Chairperson Holt read the resolution condemning the Alameda police killing of Mario Gonzalez.**

Resolution condemning the Alameda police killing of Mario Gonzalez

WHEREAS, Detroiters have been and continue to be outraged by police encounters that show how police continue to subject people of color to unfair and brutal treatment over minor or non-existent offenses. Far too often, these encounters end in death and, overwhelmingly, the deaths involve unarmed black and brown men, as with Eric Gardner in New York for selling loose cigarettes in 2014 and George Floyd in Minneapolis for using a suspected counterfeit bill on Memorial Day 2020; and

WHEREAS, This preventable list is long and, heartbreakingly, it continues to grow. Despite a year of sustained, global protests against unnecessary and deadly use of force by law enforcement and despite the clear calls for police reform and accountability, incidents of police abuse are almost regularly exposed through body-worn camera and other video; and

WHEREAS, On April 20, 2021, Mario Gonzalez became the latest victim when Alameda, California police pinned him to the ground until he went limp. Mr. Gonzalez is now dead at age 26 from a police encounter that started from a call about possible loitering and intoxication. His death is all the more shameful and despicable for its similarities to that of Mr. Floyd, and

WHEREAS, The Detroit Board of Police Commissioners, through its local and national roles in civilian oversight, believes that the state of police and community relations are at a critical point in America. The Board stands steadfast for responsible citizenship, civil rights, and Constitutional protections for all. The Board's Charter mandates and common decency dedicate us to addressing and ending police brutality and patterns of racial profiling and biased police treatment – in Detroit and any place such injustice happens. Thus, the Board continues to call for safety and preservation of life as well as appropriate, uniform police training regarding use of force and professional and humane police-individual encounters in all endeavors. The Board also repeats the call for immediate, corrective actions and new consistent standards in law enforcement across the country, both for the sake of justice and for the professionalism of law enforcement where the vast majority of men and women serve with honor; so

THEREFORE BE IT RESOLVED, That the Board condemns the actions by the Alameda police officers involved in the death of Mario Gonzalez. Our Board extends condolences to the Gonzalez family and regrets that Mr. Gonzalez became the latest victim of police brutality that so many are working to end, and be it further

RESOLVED, That the Board supports President Joe Biden's call, as stated in his April 28, 2021 Address to a Joint Session of Congress, for all Americans "to come together to rebuild trust between law enforcement and the people they serve, to root out systemic racism in our criminal justice system, and to enact police reform." President Biden called for the passage of the George Floyd Justice in Policing Act, which the Board also sought by approving on April 22, 2021 its resolution Supporting Congressional Approval of the bill. The Board appreciates the moral leadership by President Biden and stands ready to work with the Biden Administration and all others to ensure civil rights and justice in policing and law enforcement across our nation.

Vice-Chairperson Holt moved to adopt the resolution condemning Alameda police killing of Mario Gonzalez. **Commissioner Brown** seconded. Discussion: **None.**

VOTE: Yes = 11 No = 0 **Motion: PASSED**

Resolution: Commissioner Jones read the resolution encouraging law enforcement to embrace civilian oversight.

Resolution encouraging law enforcement to embrace civilian oversight

WHEREAS, an April 27, 2021 article in the Washington Post reported on the resistance U.S. law enforcement agencies have shown to civilian oversight bodies like the Detroit Board of Police Commissioners. The article's title, *When Communities Try to Hold Police Accountable, Law Enforcement Fights Back*, detailed the tools and measures law enforcement use to escape or minimize public transparency and community accountability; and

WHEREAS, the Detroit Board of Police Commissioners originated as collaborative reform between residents, elected officials, corporate and civic stakeholders, and enlightened members of law enforcement. In the aftermath of the 1968 civil uprising against racist and brutal policing by the Detroit Police Department, voters enacted a new City Charter and empowered a civil oversight board to change DPD culture to reflect the values and diversity of the community that police officers patrolled and protected. Civilian oversight in Detroit has provided a constructive process and regular platform for the community and police to work together, engage in dialogue, and make changes and improvements, and

WHEREAS, the Board was an early supporter of a national organization for leaders seeking to hold police accountable to the public in constructive and transparent ways. Today, the Board is a member and supporter of the National Association for the Civilian Oversight of Law Enforcement, known as NACOLE. As a Board and as a NACOLE member, we have supported and provided technical assistance to many seeking to establish civilian oversight in their towns, cities, or counties. As the Washington Post article indicated, NACOLE is an invaluable resource for communities and leaders; and

WHEREAS, Through research and findings, NACOLE has shown that civilian oversight is effective for law enforcement as well as communities. Civilian oversight helps ensure police legitimacy. It also provides essential bridges between police and communities that help with preventing and solving crimes. With policy and discipline measures, civilian oversight can help ensure best practices and manage risk. Civilian oversight can also provide a platform for community to express concerns

or complaints and work towards peaceful resolutions. These all benefit residents, government, police agencies, and civil society; so

**THEREFORE, BE IT
RESOLVED,**

That the Board of Police Commissioners urges law enforcement agencies across the country to embrace the benefits of civilian oversight and to become partners with their communities in ensuring transparency, accountability, strong police-community relations, and enhanced public safety.

Commissioner Jones moved to adopt the resolution encouraging law enforcement to embrace civilian oversight. **Commissioner Brown** seconded. Discussion: **None**.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

Resolution: Commissioner Brown read the resolution honoring Investigator Gayle Johnson-Brown (Retiring).

**RESOLUTION HONORING
INVESTIGATOR GAYLE JOHNSON-BROWN**

WHEREAS, Gayle Johnson-Brown was appointed to the Detroit Police Department on July 18, 1977. Upon graduating from the Detroit Metropolitan Police Academy, Officer Johnson-Brown began her career at the Sixth Precinct; and

WHEREAS, Officer Johnson-Brown's assignments with the Detroit Police Department included the Sixth Precinct, Court Section, First Precinct, Prisoners Detention Section, Records & Identification, Special Projects Section, Sixth Precinct again, Twelfth Precinct, Vice Section, and Police Vehicle Unit; and

WHEREAS, Officer Johnson-Brown displayed tremendous knowledge and leadership skills, and she earned promotion to the rank of Investigator on August 26, 1994. As Investigator, she was re-assigned to the Police Vehicle Unit. She also served at the Seventh Precinct Investigative Operations Unit, Northeastern District Investigative Operations Unit, and Criminal Investigations Unit, where she served until her retirement; and

WHEREAS, Investigator Johnson-Brown was the deserving recipient of the following awards: two Perfect Attendance Awards, Meritorious Service Award, Chief's Unit Award, four Chief's Citations, Lifesaving Citation, both Consent Judgment Awards, the Ford Fireworks Award, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award. She also received numerous letters of commendation from citizens and superiors in a career spanning five remarkable decades; and

WHEREAS, Investigator Johnson-Brown has tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities for 44 years. She has served the Detroit Police Department and the citizens of the City of Detroit with loyalty, professionalism, integrity and dedication, and is widely respected throughout the law enforcement community as the consummate professional.

**NOW THEREFORE
BE IT RESOLVED,**

That the Detroit Board of Police Commissioners, speaking on behalf of the citizens of the great City of Detroit, recognizes and honors the lifelong contributions and commitment to excellence in public service of Investigator Gayle Johnson-Brown. Her display of courage and unwavering community spirit has improved the quality of life for the citizens of Detroit. We wish you all the best in your future endeavors.

We thank and congratulate you, Investigator Gayle Johnson-Brown.

Commissioner Brown moved to adopt the resolution honoring Investigator Gayle Johnson-Brown (Retiring). **Commissioner Bernard** seconded. Discussion: **None**.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

IX. Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information:

Deputy Chief Mark Bliss represented **Chief James E. Craig** and reported on officers injured in the line of duty; current CompStat Crime/Statistical Data for Violent Crime and Property; Protest Activities; COVID-19 impacts, and recent critical incidents impacting DPD and the community. **See attached Meeting Transcripts for more information.**

| Category | Prior Day | Prior 7 Days | 2021 YTD | 2020 YTD | Change | % Change | |
|------------------------------|-----------|--------------|---------------|---------------|---------------|-------------|----------|
| Criminal Homicides* | 1 | 5 | 103 | 79 | 24 | 30% | ▲ |
| Sex Assaults* | 0 | 9 | 236 | 224 | 12 | 5% | ▲ |
| Aggravated Assaults* | 27 | 209 | 3,655 | 2,701 | 954 | 35% | ▲ |
| - Non-Fatal Shootings* | 4 | 24 | 313 | 220 | 93 | 42% | ▲ |
| Robberies | 3 | 22 | 433 | 644 | -211 | -33% | ▼ |
| - Carjackings | 2 | 4 | 67 | 50 | 17 | 34% | ▲ |
| Part I Violent Crime | 31 | 245 | 4,427 | 3,648 | 779 | 21% | ▲ |
| Category | Prior Day | Prior 7 Days | 2021 YTD | 2020 YTD | Change | % Change | |
| Burglaries | 5 | 55 | 1,117 | 1,758 | -641 | -36% | ▼ |
| Larcenies | 6 | 105 | 3,028 | 4,090 | -1,062 | -26% | ▼ |
| Motor Vehicle Thefts | 1 | 47 | 1,775 | 2,032 | -257 | -13% | ▼ |
| Part I Property Crime | 12 | 207 | 5,920 | 7,880 | -1,960 | -25% | ▼ |
| Total Part I Crime | 43 | 452 | 10,347 | 11,528 | -1,181 | -10% | ▼ |

Response Times: Priority (1): 12 minutes 5 seconds; Priority (2) 34 minutes and 54 seconds; Priority (3) 53 minutes and 1 second; **COVID-19 Updates:** There are (45) members either quarantined. There were (35) members who recently received COVID-19 positive test results. **Enforcement Statistics for the week of April 26-May 2, 2021:** The Department engaged in the following enforcement activities: Regarding eastside precincts, there were 89 Felony Arrests, confiscated 63 handguns and 2 long guns. Regarding westside precincts, there were 110 Arrests, recovered 48 handguns and 4 long guns. **Illegal Drifting and Drag Racing Statistics May 1-2, 2021:** There were 82 Traffic Stops; 3 vehicles forfeited; 1 stolen vehicle recovered; and impounded 4 vehicles; 11 felony arrests; 7 weapons recovered. Also, the number of times Mental Health Professionals have accompanied DPD Members responding to mental health police runs are as follows: The Department has responded to 94 calls for service in the Ninth Precinct and in the Downtown service area, the Department responded to (50) calls for service. Regarding the Department investigating Hit and Run Accidents, the Department recently investigated 20 HR resulting in fatal or critical injury incidents and (7) warrants have been typed and submitted for prosecution. Overall, Fatal Squad has a 54% closure rate. Additionally, there has been no increase in home invasions.

Commissioner Burch recommended the K-9 units be implemented in regular enforcement efforts to prevent the use of deadly weapons. **Commissioner Burch** also shared updates regarding the area of Dequindre and the excessive speeding occurring and resolutions including but not limited to posting signs to prevent speeding. **Commissioner Burch** discussed her observations of motorists in close proximity to emergency vehicle such as fire trucks enroute to emergency runs. **Commissioner Bernard** agreed with the previous speaker regarding implementing the K-9 units regularly involving the enforcement efforts. **Commissioner Davis** asked whether there will be expansion of the DWIHN (Detroit Wayne Integrated Health Network) Program in other precincts and whether there are any statistics the Department can share. **Commissioner Davis** discussed whether Chief Craig supports the George Floyd in Policing Act. **Vice-Chairperson Holt** discussed a recent incident that occurred in District 1, commending the collaborative efforts of the Department, Neighborhood Police Officers Childrey and Sharp for their police work, and the community in returning a missing young lady to her family. **Commissioner Brown** commended Sergeant Kirkwood and her team for updating the community about the missing young person and assisting with the return of the young person, and he asked whether the Department was tracking special locations where young persons may frequent citing a “skip house.” He commended the Department’s efforts in searching and recovering missing persons. **Commissioner Burton** discussed the Associated Press article on Facial Recognition sharing that several states and two (2) dozen cities have recently declined using Facial Recognition and asked whether the Department was evaluating whether to pause using the technology. **Commissioner Burton** discussed the pervasive expansion of the growing fear of the use of technology, asking whether the Department would engage in opportunities to educate the community to relieve the fear of others regarding the technology, and whether there are any further updates on the FRT and the data storage. He stated that there are people who have never been arrested and are fearful in being a part of a virtual lineup. **Commissioner Holley** discussed the recent Board summit on public safety and crime asking the Department to share ideas on how the Board can assist in reducing violent crimes in the City of Detroit. **Commissioner Holley** also asked for the assistance from the law enforcement community as a whole as we work to identify ways to reduce the homicide rate within the City of Detroit. **Commissioner Bernard** discussed support of the previous speaker’s concerns about FRT citing recent DPD Facial Recognition Technology (FRT) data stating that 46 uses of FRT only involved (1) Caucasian person and that there may be concerns regarding the use of the technology and racism. **Commissioner Bernard** also discussed the (118) homicides statistical data in the City recommending the Board host a Community Town Hall on how to prevent/stop crime, citing a proactive approach was needed for law enforcement and to reduce crime. **Chairperson Bell** noted the Board has held extensive discussions on this issue and noted that it was a national problem. **Chairperson Bell** discussed that the City of Chicago reported their recent increase and surpassing New York and Los Angeles

regarding the homicide rate. Vice-Chairperson Holt shared the Board's Staff has submitted several inquiries on the use of the Facial Recognition Technology to the Department to ensure an ongoing thorough review and analysis on behalf of the Board.

X. PRESENTATION(S) TO THE BOARD: A. Disciplinary Administration – Director Christopher Graveline and Lieutenant Robert Torres, Professional Standards Bureau

- A. Director Christopher Graveline and Lieutenant Torres** discussed the mission of the Disciplinary Administration is to assure that the Detroit Police Department is committed to addressing unprofessional conduct committed by its sworn members and to prevent the furtherance of such conduct. Disciplinary Administration Rules were explained citing the entity is ultimately responsible for the administration of the disciplinary process. The Executive Members discussed the origination of misconduct investigations, case statistics for 2019 and 2020 from all investigating entities whose cases resulted in sustained findings and were routed to Disciplinary Administration. The Disciplinary Matrix involves violations that come directly from the Detroit Police Department's Manual, specifically the Code of Conduct. The various categories of the Disciplinary Matrix, the Appeals Process, Disciplinary Administration Case Dispositions, and a final summary of the unit's process were also shared. See PowerPoint Presentation available online.

Commissioner Holley asked about the top (3) misconducts the Department faces regarding the Disciplinary Administration cases. **Commissioner Brown** posed the following inquiries on behalf of community members who posed questions regarding Department members who were involved in Brady/Giglio challenges: requested the rationale regarding officers who were involved in Brady/Giglio concerns were still employed with the Department, the justification of charges not being imposed on the members, and which entity is responsible for pursuing charges involving officers involved in the Brady/Giglio concerns. **Commissioner Bernard** discussed a recent study by the University of Michigan regarding the history of abuses by DPD over the last 25 years. **Commissioner Bernard** asked whether there was a Department in the country that included ("lay people") independent or civilian personnel within the Disciplinary Administration to ensure fairness and objectivity. **Commissioner Davis** asked about the Department's discipline protocol involving members who use racial slurs, egregious language, or other vulgarities. **Commissioner Davis** asked whether any Department member had been involved in the discipline process within the past (6) months for engaging in racial discrimination or conduct unbecoming of an officer involving racial issues. **Chairperson Bell** discussed the demeanor allegations and sustained findings involving the OCI cases citing that no other organization allows or engages in this inappropriate behavior. **Chairperson Bell** also discussed the extensive cases that reflect supervisory members who engage in this type of misconduct. **Chairperson Bell** asked for a report of sustained misconduct for demeanor and outcome regarding the Disciplinary matters and the outcome of Arbitration Hearings (i.e. presently in front of the Arbitrator and recent decisions). **Commissioner Jones** discussed the OCI complaints and their outcomes as well as the complainant's participation or lack thereof involving the case investigation process. **Commissioner Jones** asked for additional feedback on the latter item. **Commissioner Jones** also discussed the promotional list and the impact of the disciplinary case findings that were either identified as unfounded or not sustained. **Vice-Chairperson Holt** shared the Board's interest in receiving written responses to the Board's inquiries of the Department.

XI. Report from Interim Board Secretary Melanie White Regarding Communications Submitted to BOPC as incoming information:

1. Weekly DPD Facial Recognition Technology Report 4/26/21 – 5/2/21
2. DPD Mobilization Report
3. DPD Video Presentation Link 2020 Protest
4. Project Green Light Report 5/1/21
5. Detroit News Article Cops in Michigan's two largest cities using more force as resistance grows
6. DPD Use of Force Statistics Q1 2021
7. Staff Reports

XII. Unfinished Business.

- A. Manual Directive 102.2 Bias-Based Policing.**

MOTION: To Approve the Detroit Police Department's Manual Directive 102.2 Bias-Based Policing as presented.

Motion: Vice-Chairperson Holt

Second: Commissioner Hernandez

Discussion: Discussion.

VOTE:

Yes = 8

No = 2

Abstain: = 1

Motion: PASSED

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Burch, Commissioner Carter, Commissioner Davis, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

No: Commissioner Bernard and Commissioner Brown.

Abstention: Commissioner Burton.

B. Manual Directive 401.3 Promotional Process.

MOTION: To Approve the Revised Detroit Police Department's Manual Directive 401.3 Promotional Process as presented.

Motion: Commissioner Holley **Second:** Vice-Chairperson Holt **Discussion:** Discussion. **Commissioner Brown** requested the Board work with the police unions and the Department to develop a Memorandum of Understanding the address/resolve issues relating to time, service, and the member building time before receiving a promotion. **Commissioner Brown** also discussed his concerns with disciplinary items relating to the Department's promotional process. **Commissioner Brown** requested feedback from the Board in this matter.

MOTION: To Table the Approval of the Revised Detroit Police Department's Manual Directive 401. 3 Promotional Process as presented.

Motion: Commissioner Bernard **Second:** Commissioner Brown **Discussion:** Discussion.

VOTE: **Yes = 10** **No = 1** **Motion: PASSED**

Yes: Vice-Chairperson Holt, Commissioner Bernard, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

No: Chairperson Bell.

Abstention: None.

C. Manual Directive 403.5 Drug and Alcohol Abuse by Department Personnel Policy (Drug and Controlled Substance Policy).

Motion: Commissioner Holley **Second:** Commissioner Jones **Discussion:** Discussion.

VOTE: **Yes = 11** **No = 0** **Motion: PASSED**

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Bernard, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

No: None.

Abstention: None.

XVIII. New Business.

CHIEF INVESTIGATOR INTERVIEW: City of Detroit Human Resource Department Recruiter III (Talent Acquisition Specialist) Tamara Tarrance provided information on the process of conducting the Chief Investigator interview. The Board and Ms. Tarrance conducted the interview for the position of Chief Investigator Candidate Marquis Scott.

XIV. Announcements:

Mr. Robert Brown announced the following:

1. **Next Meeting:** Thursday, May 13, 2021, at 3:00 p.m., BOPC Meeting
2. **Next Meeting:** Thursday, May 20, 2021, at 3:00 p.m., BOPC Meeting

XV. Oral Communications/Public Comments:

LSA President Mark Young, District 4 Community Advisory Co-Chair Scotty Boman, Ms. Bernice Smith, Rhuben Black is Mr. Rhuben Crowley, 402 is Ms. Joy, and Ms. Michelle George offered public comments.

XVI. Chairperson Bell adjourned the meeting at 5:22 p.m.

Motion: Vice-Chairperson Holt
VOTE: **Yes = 11**

Second: Commissioner Bernard
No = 0 **Motion: ADOPTED**

Discussion. None: Motion Adopted.